



**Service of Process
Transmittal**

11/04/2021

CT Log Number 540539049

TO: Kim Lundy- Email
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served in Illinois

FOR: WALMART INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: COOK CAROL J. // To: WALMART INC.

DOCUMENT(S) SERVED: Summonses, Attachment(s), Complaint

COURT/AGENCY: Madison County Circuit Court, IL
Case # 2021L001272

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 11/27/2019, in Wood River, Madison County, Illinois

ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL

DATE AND HOUR OF SERVICE: By Process Server on 11/04/2021 at 03:34

JURISDICTION SERVED : Illinois

APPEARANCE OR ANSWER DUE: Within 30 days after service, not counting the date of service

ATTORNEY(S) / SENDER(S): Edward W. Unsell
The Unsell Law Firm, P.C.
69 S. 9th Street
East Alton, IL 62024

ACTION ITEMS: CT has retained the current log, Retain Date: 11/05/2021, Expected Purge Date: 11/10/2021

Image SOP

REGISTERED AGENT ADDRESS: C T Corporation System
208 South LaSalle Street
Suite 814
Chicago, IL 60604
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Thu, Nov 4, 2021

Server Name: Sheriff Drop

Entity Served	Walmart, Inc.
Case Number	2021L001272
Jurisdiction	IL



FOREIGN

STATE OF ILLINOIS

COUNTY OF MadisonIN THE CIRCUIT COURT OF THE Third JUDICIAL DISTRICTCarol J. Cook

Plaintiff,

v.

Walmart, Inc.

Defendant.

2021L 001272

Case Number: 21-L-

Amount of money claimed: \$ _____

SUMMONS -- 30 days

To each Defendant: Walmart, Inc. c/o CT Corporation System, 208 So. LaSalle Street, Suite 814, Chicago, IL 60604

You are summoned and required to file an answer to the complaint in this case, a copy of which is attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this summons, not counting the date of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date below.

WITNESS, Circuit Clerk of the Third Judicial Circuit, and the seal thereof,

In

the City of Edwardsville, in Madison County,

10/21/2021

Date: _____, 20 _____

Signed: /s/ Thomas McKee /s/ Stacey Turner

Clerk of the Circuit Court, Clerk of the _____ Judicial Circuit

Prepared by:

Edward W. Unsell #3124228The Unsell Law Firm, P.C.69 South 9th StreetEast Alton, IL 62024618-259-3728office@unselllaw.com

*E-filing is now mandatory for documents in civil cases with limited exceptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinois courts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing visit <http://www.illinois courts.gov/FAQ/gethelp.asp>.

SUMMONS - ORIGINAL

CIRCUIT CLERK'S COPY

SHERIFF'S FEES

Service and return \$ _____
 Miles _____
 TOTAL \$ _____

Sheriff of _____ County

I certify that I served this summons on defendant(s) as follows:

(a) - Individual defendants-personal:

By leaving a copy and a copy of the complaint with each individual defendant personally, as follows:

Name of Defendant

Date of Service

_____	_____
_____	_____
_____	_____

(b) - Individual defendants-abode:

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with 2 person of the family, or a person residing there, of the age of 13 years or upwards, informing that person of the contents the summons, and also be sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his or her usual place of abode, as follows:

Name of defendant	Person with whom left	Date of Service	Date of Mailing
_____	_____	_____	_____
_____	_____	_____	_____

(c) - Corporation defendants:

By leaving a copy and a copy of the complaint with the registered agent, officer or agent of each defendant corporation as follows:

Defendant Corporation	Registered agent, officer or agent	Date of Service
_____	_____	_____
_____	_____	_____

(d) - Other service:

_____, Sheriff of _____ County

11/19/2021

* 0 3 5 6 0 7 0 3 *

DOC. TYPE: LAW
CASE NUMBER: 2021L01272
DEFENDANT
WALMART INC.
208 S LASALLE ST
CHICAGO, IL 60604
814

SERVICE INF
CT CORPOR

ATTACHED

STATE OF ILLINOIS

FOREIGNCOUNTY OF MadisonIN THE CIRCUIT COURT OF THE Third JUDICIAL DISTRICTCarol J. Cook

Plaintiff,

v.

Walmart, Inc.

Defendant.

2021L 001272

Case Number: 21-L-

Amount of money claimed: \$ _____

SUMMONS -- 30 days

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WITNESS, Circuit Clerk of the Third Judicial Circuit, and the seal thereof,

In

the City of Edwardsville, in Madison County,

10/21/2021

Date: _____, 20____

/s/ Thomas McRae

/s/ Stacey Turner

Signed: Clerk of the Circuit Court, Clerk of the _____ Judicial Circuit**Prepared by:**Edward W. Unsell #3124228The Unsell Law Firm, P.C.69 South 9th StreetEast Alton, IL 62024618-259-3728office@unselllaw.com

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SUMMONS - ORIGINAL**CIRCUIT CLERK'S COPY**

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Service and return \$ _____
 Miles _____
 TOTAL \$ _____

Sheriff of _____ County

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Name of Defendant

Date of Service

_____	_____
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_____	_____

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Name of defendant	Person with whom left	Date of Service	Date of Mailing
_____	_____	_____	_____
_____	_____	_____	_____


© - Corporation defendants:

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Defendant Corporation	Registered agent, officer or agent	Date of Service
_____	_____	_____
_____	_____	_____

(d) - Other service:

_____, Sheriff of _____ County

 * 0 3 5 6 0 7 0 3 *		DIE DATE 11/19/2021
DOC. TYPE: LAW CASE NUMBER: 2021L01272 <u>DEFENDANT</u> WALMART INC 208 S LASALLE ST CHICAGO, IL 60604 814 -		SERVICE INF CT CORPOR
		ATTACHED

1. At all times material to this case, Plaintiff resided in Madison County, Illinois.
2. The Defendant, WALMART, INC (hereinafter "WALMART"), conducts business in the state of Illinois and owns real estate located in Madison County, Illinois.
3. Defendant, in conducting its business, invites members of the public onto its premises for the purpose of purchasing goods and services therein.
4. On or about November 27, 2019, Plaintiff was one such member of the general public entering upon the premises of Defendant.
5. At all times material to this case, Defendant, WALMART, made a conscious

decision to remain open to the general public during hours in which it would restock and resupply its shelves.

6. At all times material to this case, Defendant, WALMART, made a conscious decision to allow its staff engaged in the resupply and restocking to use equipment which has the potential to cause great bodily harm to the general public.
7. Based upon information and belief, at all times material to this case, Defendant, WALMART, was aware of other similar incidents where members of the general public became injured by its stocking and resupply equipment.
8. Despite the aforementioned knowledge and aforementioned serious dangers to the public, Defendant, WALMART, ignored the risks and engaged in conduct herein described.
9. On or about November 27, 2019, Defendant, WALMART, through one or more of its employees or agents, pushed restocking equipment into Plaintiff at its Wood River, Madison County, Illinois location.
10. Plaintiff, while lawfully on the premises, became injured by the equipment.

11. Defendant's restocking equipment then and there became a hazard which caused injury to Plaintiff.

COUNT I- NEGLIGENCE

(vs. Defendant WALMART)

12. Plaintiff incorporates the FACTS COMMON TO ALL COUNTS of this Complaint as if fully set forth herein.
13. Defendant, WALMART, as owner or occupier of the property was under a duty to exercise reasonable care in the maintenance and operation of the premises, including the entrances, exits, aisles, and other appurtenances on the premises, so those on the premises would not be likely to sustain injuries.
14. At and immediately prior to that time, Plaintiff was a patron of Defendant, and was using the isle on the premises in a reasonable fashion.
15. On November 27, 2019, as a direct and proximate result of Defendant's negligence, as subsequently specified, Plaintiff was caused to, and became injured.
16. Defendant, by its agents and employees, was then guilty of one or more of the following negligent acts and omissions:
- (a) Failed to furnish a reasonably safe isle;
 - (b) Permitted the aisle in which Plaintiff was walking to be and remain unsafe; and
 - (c) Failed to train its employees and agents on the proper handling of restocking equipment;

- (d) Permitted, required, or encouraged an unknown employee or agent to restocking during periods of time when members of the public would be using the isles.

- 17. As a direct and proximate result of the negligence of Defendant, by its agents and employees, Plaintiff sustained severe and permanent injuries.
- 18. Plaintiff has spent and will spend and will become liable for large sums of money for medically necessary treatment.

WHEREFORE, Plaintiff demands judgment against Defendant, WALMART, in an amount in excess of fifty thousand dollars (\$50,000.00) and the cost of this action.

COUNT II- WILFUL AND RECKLESS DISREGARD
(vs. Defendant WALMART)

- 19. Plaintiff incorporates the FACTS COMMON TO ALL COUNTS of this Complaint as if fully set forth herein.
- 20. Prior to November 27, 2019, Defendant WALMART through its employees and agents made a conscious decision to subject the public to a risk of harm from its restocking practices.
- 21. Defendant's choice prioritized profits over the safety of its patrons.
- 22. In doing so, Defendant set in motion a series of events which would lead to Plaintiff's injuries.
- 23. Based upon information and belief, Defendant WALMART was aware of the dangers caused by its restocking equipment to the general public and disregarded said knowledge and duty to detriment of the public.
- 24. That the actions and decisions of Defendant, WALMART, to place its profits over the safety of its customers amounts to willful and wanton conduct, raising from negligence to reckless disregard for the safety of others.

WHEREFORE, Plaintiff demands judgment against Defendant, WALMART, in an amount in excess of fifty thousand dollars (\$50,000.00), a hearing pursuant to the Illinois Civil Code of Procedure, prior to trial, for leave to add a punitive damages claim related to this Count II, and the cost of this action.

By: /s/ Edward W. Unsell
Edward W. Unsell, #3124228
THE UNSELL LAW FIRM, P.C.
69 S. 9th Street
East Alton, Illinois 62024
office@unselllaw.com
(618) 259-3728 PHONE
(618) 259-3783 FAX
Attorney for Plaintiff